

REMARKS

Claims 1-14, 17, 20, 24, 28-32 and 35 stand rejected under 35 USC 103(a) as being unpatentable over Lam (GB 2329378) in view of Lacasse et al. (US2003/0164318). Applicant has amended the claims to more particularly define the present invention over the cited prior art.

More specifically, claim 1 has been amended to specify an access arrangement, enabling placing items into the container or removing items from the container, the access arrangement providing access by means of an uppermost portion of the container and an access permitting end portion bounded by a corner of the container and further comprising a movable side panel proximate said access permitting end portion of the container; **said side panel being pivotable about a pivot mounting spaced apart from the corner of container to render open said access permitting end portion of the container at said corner (emphasis added)**. None of the cited art either discloses or suggests a container as defined in claim 1 having all the features of amended claim 1 and including the access arrangement as now defined in amended claim 1.

The primary reference to Lam describes a transport container with pivoting doors 3A, 3B that provide access to respective ends of the container. Importantly, the doors 3A, 3B pivot about the respective corner posts C1 of the container. See Fig. 1 of Lam and the corresponding description on page 7. In contrast, the present invention of claim 1 requires that the side panel being **pivotable about a pivot mounting spaced apart from**

a corner of the container to render open said access permitting end portion of the container at said corner. Thus, the operation of the container of claim 1 is significantly different than the container of Fig. 1 of Lam.

Moreover, the container of claim 1 is advantageous over the container of Fig. 1 of Lam because the pivoting movement of the side panel about a pivot mounting spaced from the corner allows the side panel to be fully opened to open a space at the corner at the side which is not obscured by the side panel. This feature is particularly useful for loading elongate curved items such as windshield into the container as it enables the elongate curved items to be more conveniently loaded through the open end and side at the corner particularly in space constrained environments where a wall, another container or other structural member is located adjacent the corner of the container and would hinder the full opening of the side panel if it was pivotably mounted at the corner as taught in Lam.

The secondary reference to Lacasse et al. does not remedy the shortcomings of Lam.

For these reasons, amended claim 1 is clearly patentable over the cited prior art.

The dependent claims are patentable over the cited prior art for those reasons advanced above with respect to claim 1 from which they respectively depend, and for reciting additional features that are not taught or suggested by the cited prior art.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

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